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RCE/1761/44

**CERTIFICATE OF MAILING**

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on 5/21/04

  
Edward A. Squillante, Jr.  
Reg. No. 38,319  
Attorney for Applicant(s)

5/21/04  
Date of Signature



## **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

(for Subsection (b) of 35 U.S.C. § 132, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995))

Attorney Docket No.: F7561(V)  
 Applicant: Beck et al.  
 Serial No.: 09/974,629  
 Filed: October 10, 2001  
 For: Edible Emulsion Comprising Live Micro-Organisms and Dressings or Side Sauces Comprising Said Edible Emulsion  
 UNUS No.: 01-0521-UNI

Group Art Unit: 1761  
 Examiner: Carolyn Paden

To: Commissioner for Patents  
 Box: Patent Application  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Red. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### **APPLICATION ELEMENTS**

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered)
  - Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - Other

b.  Enclosed

- Amendment/Reply
- Affidavits(s)/Declaration(s)
- Information Disclosure Statement (IDS)
  - PTO-1449
  - Copies of IDS citations
  - Other

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2. **Miscellaneous**

- a.  Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required.)  
b.  Other
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3. **Fees** (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.)

- a.  The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-1155.
- i.  \$770.00 (RCE fee required under 37 C.F.R. § 1.17(e))
  - ii.  Extension of time fee (37 C.F.R. § 1.136 and 1.17)
  - iii.  The Commissioner is hereby authorized to charge any additional fees, which may be required to our Deposit Account No. 12-1155.

4. **Correspondence Address:**

CUSTOMER NUMBER: 000201

Respectfully submitted,



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Edward A. Squillante, Jr.  
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Reg. #38,319

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